

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING COMMITTEE
CITY AREA – 18/11/04

Note: This is a précis of the Committee report for use mainly prior to the Committee meeting and does not represent a notice of the decision

A106 - Approve subject to S106	DOEC - Refer to DLTR (Committee) Now DTLR	REF - Refusal
APP - Approve	NOBJ - No objection	REV - Subject to Revocation Order
APPC - Approve with conditions	OBJ - Objection	DOED - Refer to DLTR
APRE - Part approve / refuse	OBS - Observations to Committee	Now DTLR - (delegated)

ITEM NO	APPLICATION NO OFFICER	LOCATION	REC	PARISH / WARD	PAGE NOS	WARD & COUN- CILLORS	NOTES
1 SV	S / 2004 / 2008 Mr R Hughes	PERSIMMON HOMES (SOUTH COAST) LTD TINTOMETER LTD WATERLOO ROAD	REF		2 - 9	ST MARTIN & MILFORD Councillor Howarth Councillor Tomes	
2 SV	S / 2004 / 2175 Mr R Hughes	BAYVIEW DEVELOPMENTS LTD 20 NORTH STREET	REF		10 - 16	ST MARTIN & MILFORD Councillor Howarth Councillor Tomes	
3 SV	S / 2004 / 1736 Mr S Llewelyn	ST MARTINS CHURCH HALL c/o MR SCARFE ST MARTINS CHURCH HALL 18 EYRES WAY	APPC		17 - 27	ST MARTIN & MILFORD Councillor Howarth Councillor Tomes	
4 SV	S / 2004 / 1953 Mr R Hughes	MANOR ROAD DEVELOPMENT PARTNERSHIP 44 MANOR ROAD	A106		28 - 34	ST EDMUND & MILFORD Councillor Mrs Chettleburgh Councillor Sample	

END OF LIST

Schedule Of Planning Applications For Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

With respect to the undermentioned planning applications responses from bodies consulted thereon and representations received from the public thereon constitute background papers with the Local Government (Access to Information) Act 1985.

ABBREVIATIONS USED THROUGHOUT THE TEXT

AHEV	-	Area of High Ecological Value
AONB	-	Area of Outstanding Natural Beauty
CA	-	Conservation Area
CLA	-	County Land Agent
EHO	-	Environmental Health Officer
HDS	-	Head of Development Services
HPB	-	Housing Policy Boundary
HRA	-	Housing Restraint Area
LPA	-	Local Planning Authority
LB	-	Listed Building
NFHA	-	New Forest Heritage Area
NPLP	-	Northern Parishes Local Plan
PC	-	Parish Council
PPG	-	Planning Policy Guidance
SDLP	-	Salisbury District Local Plan
SEPLP	-	South Eastern Parishes Local Plan
SLA	-	Special Landscape Area
SRA	-	Special Restraint Area
SWSP	-	South Wiltshire Structure Plan
TPO	-	Tree Preservation Order

Part 1

Applications recommended for Refusal

Item No. Case Officer Contact No.

App.Number Date Received Expiry Date Applicant's Name
Ward/Parish Cons.Area Listed Agents Name

Proposal
Location

1	Case Officer Mr R Hughes	Contact No 01722 434382	1
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S/2004/2008	14/09/2004	09/11/2004	PERSIMMON HOMES (SOUTH COAST) LTD
STMT			GOADSBY AND HARDING (COMMERCIAL) LTD
Easting: 415388.9	Northing: 129524.9		

PROPOSAL:	FULL APPLICATION - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE SITE WITH 8 APARTMENTS AND 16 HOUSES
LOCATION:	TINTOMETER LTD WATERLOO ROAD SALISBURY SP1 2JY

REASON FOR REPORT TO MEMBERS

Councillor Howarth has requested that this item be determined by Committee due to: the controversial nature of the application

SITE AND ITS SURROUNDINGS

The site is 0.47 hectares and located outside the HPB, and contains a number of industrial style buildings. The area to the immediate west of the site is predominantly a residential area consisting of modest terraced dwellings. To the east and south lies a number of other industrial buildings which form part of the Dolphin Industrial estate, including Homebase and MFI. The land rises steeply to the immediate north of the site where there is a separate complex of industrial buildings with the main railway line beyond.

The site is accessed via Waterloo Road, a narrow residential street.

THE PROPOSAL

It is proposed to demolish all the buildings on the current site and erect 24 dwellings, with parking and a small toddlers play area.

The application has been supported by the following documentation:

Design Statement
Planning Statement
Ground contamination details
Report on asbestos

Acoustic Report
Transport Assessment

In total these documents are of significant detail and length and comprise background documents. This report only seeks to summarise the main points.

PLANNING HISTORY

Various applications relating to the existing commercial use

CONSULTATIONS

WCC Highways	- No objections subject to the developer contributing to a post development parking review for Waterloo Road.
WCC Library/ Museum	- None received
Housing & Health Officer	- Recommend a contaminated land study, also full details of the noise barriers/boundary treatments is needed to reduce noise from adjacent industrial units
Wessex Water Authority	- No objections in principle, but there is a public sewer crossing the site. Such apparatus should be protected.
Environment Agency	- No objections subject to a contamination investigation, and surface water run off control scheme. Also advice given regards sustainable construction, pollution prevention and water efficiency.
WCC Education	- A developer contribution towards the expansion of secondary school places
Highways Agency	- No comments to make
Design Forum	- The Forum is very concerned that the submitted scheme lacks a proper site appraisal that can inform the design for the area, and involves the demolition of two key buildings that provide the essential character of the site. The proposed demolition of these buildings will effectively erode the character of the area. The starting point for any brief for the redevelopment of the site should be the retention of these two key buildings. The design of the house types is not sustainable and takes no design cues from the locality.
Highways Agency	- No comments

REPRESENTATIONS

Advertisement	Yes Expiry 21/10/04
Site Notice displayed	Yes. Expiry 21/10/04
Departure	No
Neighbour notification	Yes. Expiry 14/10/04
Third Party responses	9 letters objecting on the following basis
Civic Society	-The site is outside the boundary for residential development -While an access to the current site is off Waterloo Road the site is an intrinsic part of the industrial and warehouse development adjoining the site -The site is unsuitable for residential development -By negotiation and detail planning, access to the site could be gained from the estate containing Homebase.

The Civic Society believes that the site should remain in industrial, warehouse use and as a source of employment within the City.

MAIN ISSUES

Principle and policy
Design and impact on character of area
Amenities
Impact on highway safety and parking issues
Contamination issues
Affordable housing issues
Open space issues

POLICY CONTEXT

PPG3, and CABE Design guidance

E16 H22 G1 G2 D1 D7 TR? Salisbury District Local Plan

PLANNING CONSIDERATIONS

1. Principle and policy

The site contains an existing employment use and the proposed use would result in the replacement of this employment use with a wholly residential scheme. As a result the proposal should be tested against the various criteria of policy E16.

With regards policy E16, this scheme will obviously result in the loss of an existing employment use. The key issue for members to consider is whether or not the replacement housing scheme will result in any conservation or environmental benefits which would outweigh the loss of the employment site.

As part of their submission, the applicants have submitted both an independent traffic survey (by RPS) and an assessment by Goadsby & Harding (the agents for the application) regarding the suitability of the site in employment terms.

In summary, the transport/traffic survey indicates that the current site use generates around 130 vehicles movements per day and 25 in peak hours two way. By comparison, it is anticipated that the redeveloped site would generate some 168 movements per day and 14-17 in the peak hours. Based upon a daily trip rate of 7 vehicle movements per day, the site is likely to generate additional daily traffic of 38 movements, the equivalent of 6 dwellings.

As a consequence, the residential scheme may actually increase the number of vehicles using Waterloo Road, but the type of vehicle may change in terms of size (ie cars rather than lorries). Members have to consider whether this represents an environmental benefit. In officers view, the removal of an employment use and its larger vehicles may have some tangible benefits given the small scale nature of Waterloo Road, which is residential in character, where dwellings front directly onto the pavement and are more likely to be affected by the noise and disturbance caused by large vehicles.

With regards the future re-use and viability of the use of the site for employment purposes, the agents planning report indicates that Tintometer Ltd intend to vacate the site and move to more modern premises in Amesbury. Whilst no timetable is given for such a move, it is clear that the firm do not intend to stay at the site in the long term, and therefore at some point, the premises may be vacated.

According to the agent, the existing land and buildings are relatively unsuitable for most alternative employment uses due to the condition of the buildings and their design being specific to Tintometer Ltd. They therefore argue that the existing buildings and site would have to be substantially changed in order to accommodate the modern requirements of an employment use. They also argue that the site would only be attractive to potential users that would cause harm to the amenities of the occupiers of surrounding residential properties.

Whilst many of the agents assertions are not disputed, this matter is difficult to assess objectively, particularly as an "independent" assessment has not been submitted of the viability of the site and buildings and the site has not been marketed to ascertain their viability. Furthermore, there is no way of knowing whether a future user would need to remove or change any of the buildings on the site, and if they did, what replacement scheme they would propose. However, given that the current use seems to have generate few if any complaints and the various neighbour letters received do not indicate otherwise, it is considered that the current site may benefit from a BI Class use. As a result, any future users that may move onto this site could operate under this use class, which contains not only offices, but also light industrial and high tech and research. The future level of traffic generated by the site is therefore also uncertain.

Furthermore, policy H22 is considered relevant given that this site is outside the HPB. With regards this policy, it is considered that the site meets the three criteria in that it is not identified for an alternative form of development in the Local Plan; is well related to the existing pattern of development; and accessible by public transport. However, it is debatable whether the scheme can be fully said to be in accordance with this policy, as the business currently occupying the site would be located to an undisclosed site in Amesbury, which is clearly not part of the settlement of Salisbury and is some distance away. No indication is given by the agent of why this relocation complies with the policy or why this location would not increase the reliance on the private car.

Summary

Given the lack of details supplied regarding the relocation of the business in terms of the criteria of policy H22; and the lack of independent evidence that the site would be truly unsuitable for future employment use which would not adversely affect the amenities and highway system of the surrounding area, it is considered that the proposal does not overcome the policy objections stipulated by policy E16 and H22.

2. Design and impact on character of area

Existing character of the area

The applicants Design Statement document does not attempt to analyse or otherwise define the character of the surrounding area in detail. As a result, it has been left to the LPA to consider this issue.

It is considered that the surrounding area to the west of the site is predominantly residential in character, with two and two and half storey Victorian and similar style housing arranged in a linear form, with dwellings generally sited at or close to the back edge of pavement. Beyond this housing, the built form and vernacular becomes more varied. Red brick and dark coloured roofing predominates, and the various architectural features such as windows and doors are generally of domestic design and scale, and rather varied. The roofscape and skyline is varied, and punctuated by chimneys. The new development of 11 houses in Waterloo Road has also been designed to reflect this domestic Victorian style character after discussions with the LPA.

To the north east and south of the site the built form is of a generally poor visual standard consisting mainly of utilitarian industrial sheds which reflect nothing of the traditional vernacular of this part of Salisbury. Views into and out of the site should have also been assessed, and in this regard it is clear that the vista to the site down Waterloo Road is important in any development, as is the loss of the prominent flour mill and adjacent building. With regards to views, there is only a cursory acknowledgement of this in the applicants design statement.

The Design Statement should have contained such analysis, and flowing from that analysis, should be a justification of the scheme that is proposed in terms of its layout, built form, architectural vernacular and details. However, this has not been done, and therefore it falls to the LPA to analyse the proposed built form in the light of its of character analysis.

Flowing from the LPA analysis of the area, it is clear that there is some flexibility in terms of the design details of any residential schemes on this site, as while the stark utilitarian approach of the industrial units would not be a suitable visual approach, either a modern contemporary style approach (like The Beeches and other dwellings in the area to the west) or a more traditional approach to the vernacular like the new development in Waterloo Road may be appropriate.,

Analysis of proposed scheme

Unfortunately, in the opinion of the Council's Design Forum, the applicant has submitted a scheme, and the various features of which do not appear to relate to or otherwise reflect the character of the surrounding area. Whilst the roofline is broken, it is broken in a somewhat arbitrary manner not typical of the area. The lack of any chimneys exacerbates this problem. As views into and out of the site have not been properly assessed, the vista down Waterloo Road is punctuated by the rather bland façade of the proposed block of flats, which again appear to be of a standardised design not typical or otherwise reflective of the area.

A number of objections have been raised, including those from the Design Forum, relating to the loss of the old Flour Mill building and the associated former dwelling, both of which have historical links to the former railway uses in and around the site which flourished in the 19th century.

These buildings are not listed and are not located within a Conservation Area, and therefore it is difficult to resist their removal from the site in the long term. However, it is considered in this instance that the proposed scheme as submitted is not of sufficient visual quality as to warrant the refusal of two buildings, particularly the old flour mill, which is a dominant visual presence in the surrounding area and whose existence retains some link with the history of the area.

3. Amenities

Impact of scheme on adjacent neighbours

The comments received from adjacent residents of the site do not generally indicate that they are glad to have this employment use removed. In fact many objections have been received regarding the impact of the new residential scheme on surrounding amenities particularly with regards loss of privacy and increased traffic. Comments have been received which question why the development has not been orientated with the rear gardens of the proposed dwellings backing onto Fairview Road, as opposed to backing onto the industrial units.

In the opinion of officers, whilst the re-siting of the dwellings with their back gardens abutting the western boundary of the site with Fairview Road may actually improve the amenities of future occupiers of the dwellings given the repositioning away from the adjacent commercial uses to the east, the re-siting of the dwellings in such a manner would actually reduce the amenities enjoyed by residents of Fairview Road, as the modest size of the rear gardens of any proposed dwellings would be likely to result in a long row of new dwelling being positioned with 10 metres of the western boundary of the site, with numerous first floor windows facing towards the dwellings and garden areas of the houses in Fairview Road.

In terms of the layout and positioning of dwellings as submitted, Members should note that the front facades of nos 13 to 20 are sited approximately 20 metres from the western boundary with the houses along Fairview Road. This distance compares favourably to the old Parker standards where 21 metres was considered an appropriate distance between facades. Therefore the impact of these dwellings on amenities in terms of overlooking and overshadowing of houses in Farley Road would not be likely to be significant enough to warrant refusal.

With regards proposed plots 21 to 23 it is considered that these dwellings could have been more sensitively designed so as to limit the impact on adjacent amenities. Whilst no. 23 seems to have been designed to be lower than other proposed dwellings, its actual ridge height measures approximately 9.5 metres. Given the siting of this dwelling within 1 metre of the boundary with adjacent existing dwellings, it is considered that the massing of this building would have quite a significant impact on adjacent amenities due to its overbearing scale.

Plots 21 and 22 would be even higher with a ridge height of approximately 10.5 metres. Whilst these are located away from the boundary with adjacent existing dwellings, the roof slopes of both plots contain a large 3 light dormer window. Combined with the first floor window on this north facing façade, it is likely that the amenities currently enjoyed by residents of Farley Road and nos 50 to 54 Waterloo Road, in terms of privacy, would be likely to be reduced by overlooking and perceived overlooking from these windows.

A far better solution would seem to have been to position smaller scale dwellings (such as a reduced height version of plots 19 and 20) in this area of the site, which would have avoided most of the above problems.

Whilst plot 24 seems to have been more appropriately designed to avoid any significant overlooking, it would have been preferable to perhaps reposition this dwelling further to the east away from the western boundary of the site (currently shown at 2 metres approximately), so that the impact of the bulk of the building would be reduced with regards to adjacent existing housing and gardens.

With regards to proposed plot 1, the same standard house type has been used as plot 23 as described above. This plot would be located approximately 2metres from the boundary with the adjacent cul-de-sac of existing dwellings, and approximately 12 metres from the rear facades of the existing houses. At 9.5 metres tall, it is considered that again, adjacent amenities would be reduced due to the dominating bulk of the proposed dwellings.

Impact of adjacent industrial uses on future amenities

The EHO has indicated that details of the acoustic qualities of the boundaries of the site should be submitted, so that amenities of future occupiers are not affected by noise from adjacent commercial units. Whilst such detail has not been submitted, it is considered that such details could be conditioned and secured.

As a consequence, it is considered that despite the obvious proximity of the dwellings to adjacent commercial uses and activities, it would be difficult to sustain a refusal on these grounds.

4. Impact on highway safety and parking issues

A number of objections from local residents have centred on the impact of this development on the adjacent highway system which is acknowledged to be of restricted width, and suffers from significant on street parking problems.

It is considered that the scheme provides for adequate on site parking in line with Government Guidance of 1.5 spaces per dwelling, particularly given the edge of city centre site and sustainable location close to public transport links. However, notwithstanding the number of on site parking spaces provided, the applicant has also offered to enter into an agreement whereby any rights for future owners to have an on street parking permit would be waived. Therefore, it would appear that this scheme is unlikely to encourage any significant on street parking in the adjacent highway system.

In terms of traffic generation, (which is outlined in detail elsewhere in this report), it appears that according to the independent RPS report, the amount of traffic generated by this residential development would not be significantly different to that generated by the existing employment use.

WCC Highways agree with the applicants transport assessments, and have no objection to the proposal.

As a result of the above matters, it is considered that whilst residents concerns are noted, it may be difficult to support a refusal on highway impact.

5. Contamination and noise issues

A substantial report regarding contamination issues has been submitted with the application. The Council's EHO has assessed these reports and has indicated that subject to conditions to secure a suitable land contamination investigation, he considers the proposal acceptable.

The EHO has also indicated that he has discussed the noise disturbance issues with the applicants on site, and details of the agreed acoustic boundary treatment were requested. However, at the time of writing no details have been provided, and therefore there is no assurances that amenities of future occupiers will be protected. Whilst such boundary details are usually made subject of conditions, the situation is made more complex given that any boundary treatment will have an acoustic role, and therefore any such boundary treatment may need to be of a different visual appearance and higher than a normal boundary fence or wall, which is usually approximately 2 metres high.

6. Affordable housing issues

The scheme provides for 24 dwellings, all of which are private market housing. This is just below the threshold of 25 dwellings and well below the 1 hectare threshold indicated by policy H24 of

the Salisbury District Local Plan, above which a proportion of affordable housing would be required to be provided on site.

The newly adopted SPG on Affordable Housing indicates that the LPA will seek assure that such thresholds are not being abused, and that any development site is actually being developed to its full potential.

In this instance, whilst the number of dwellings proposed falls just under the Local Plan policy threshold of 25, Members should note that many of the objections from local people appear to indicate that the local concern is that the site would have too many dwellings, with particular concern expressed about the impact on the highway system.

Given this concern, and the fact that the density of the development is within the 30 to 50 dwelling density threshold advised by PPG3, it is considered that a request for additional dwellings on this site may further exacerbate the concerns of local people. However, whether or not additional dwellings will lead to the impacts which local people fear will occur is debatable, given that additional yet smaller dwellings (ie One bed flats for instance) may not necessarily generate more traffic, and may need less parking spaces. Members need to consider the matter carefully.

7. Open space issues

A small toddlers open space has been provided on the site. This is in accordance with policy, and has the support of the Council's Parks Manager.

Whilst some concerns have been submitted regarding the siting and usage of the open space, it is considered that the open space has been sited in a location where it would be well surveyed from adjacent dwellings, thereby reducing the likely hood of any vandalism or other anti-social behaviour. The positioning of the open space away from the access and entrance to the site is considered to be preferable in safety terms for users of the open space.

A contribution/agreement is of course required for the maintenance of this space and for the maintenance of off site youth open space in the area. A such an agreement has not be submitted, a refusal on this basis is attached.

8 Education

WCC Education has indicated that at primary school level the designated area school will be able to accommodate the projected number of children within its existing capacity. However at secondary level, this is not the case as a considerable shortfall in places will exist in the shared designated area of the schools concerned by 2006. In the circumstances, County would like to request a developer contribution towards the expansion of secondary school places. However, County have also indicated that if any of the dwellings are one bedroom size, they would be willing to discount them from our request.

At the time of writing, no such agreement/contribution has been finalised. Therefore, a reason for refusal on this basis has been included below.

CONCLUSION

It is considered that the applicants have not overcome the basic policy objections to the loss of the employment use on the site.

It is considered that the design of the scheme is not of sufficient quality to outweigh the loss of the more historic existing buildings on the site.

It is considered that the scheme as currently arranged and designed would have some adverse impacts on adjacent amenities.

Following the support of WCC Highways, it is considered that in highway terms, an objection may be difficult to sustain

RECOMMENDATION: REFUSE for the following reasons:

(1) The proposal would involve the replacement of an existing employment site, and the relocation of the existing commercial user (Tintometer Ltd) to a settlement 10 miles from Salisbury. Given the lack of a convincing argument relating to the loss of the employment site, combined with the poor design of the scheme and the likely impacts on adjacent amenity, the proposal fails to demonstrate any significant environmental or conservation benefits which would outweigh the loss of an employment site, and fails to demonstrate why the proposed relocation is sustainable. The proposal is therefore considered to be contrary to policy E16 and H22 of the adopted Salisbury District Local Plan.

(2) The proposal seeks to remove a number of industrial buildings, two of which whilst not listed or otherwise protected appear to be of interest due to their links to the historic development of the area. They are therefore part of the cultural heritage of the District.

However, the submitted residential scheme is considered to be of a poor design which is not sympathetic to or in keeping with the traditional architectural vernacular or built form of the surrounding area. Consequently, and in the absence of an adequate Design Statement which indicates otherwise, it is considered that the proposal is not of a sufficiently high quality to justify the removal of the existing historical buildings, and therefore, the scheme is considered contrary to policy G1 and policy D1 of the Salisbury District Local Plan.

(3) The proposal due to a combination of the large bulk and scale of the dwellings, the positioning of windows, and the close proximity with adjacent existing dwellings, would be likely to have a dominant and adverse impact on adjacent residential amenities, contrary to policy G2 of the Salisbury District Local Plan.

(4) The site is located within close proximity to a number of commercial uses. However, no details of the acoustic fencing have been submitted. In the absence of such details, it is considered that the scheme would be likely to have an adverse impact on the amenities enjoyed by future occupiers of the site, and any boundary treatment may have an adverse impact on the character of the area and its visual amenities due to its specialist design and size. The proposal would therefore be contrary to policy G2 of the adopted Salisbury District Local Plan.

(5) Whilst an on site play space has been shown on the submitted plans, the proposal conflicts with policy R2 of the adopted Salisbury District Local Plan in that no provision is made for a contribution towards off site public open space and towards the maintenance of on site space.

(6) The proposal is contrary to policy G9 in that no provision is made for a contribution towards off site educational facilities.

NOTES:

S/2004/2175	12/10/2004	07/12/2004	BAYVIEW DEVELOPMENTS LTD
STMT	SAL		
Easting: 413938.9	Northing: 130083.7		

PROPOSAL:	FULL APPLICATION - DEMOLITION OF NO.20 NORTH STREET AND EXISTING YARD BUILDINGS ERECTION OF 7 HOUSES AND 2 FLATS + ALTERATION OF EXISTING ACCESS + CAR PARKING (AMENDED WARD)
LOCATION:	20 NORTH STREET (ADJOINING GROUNDS AND BARN TO THE REAR) SALISBURY SP2 7SG

REASON FOR REPORT TO MEMBERS

Councillor Howarth has requested that this item be determined by Committee due to: the controversial nature of the application

SITE AND ITS SURROUNDINGS

The site consists of an existing unlisted three storey dwelling (No.20) together with the existing small garden area, and the yard area to the immediate east of No 20, which includes two existing buildings. The more modern of the two yard buildings appears to be used for storage purposes, whilst the secondary older brick building in the north eastern corner of the site is apparently semi-derelict, but used partly by the adjacent Cactus Jack restaurant for some additional storage space. The yard itself appears to be used by local residents for off street parking.

The area immediately surrounding the site to the south, east and west is in residential use, whilst the buildings and land to the north are in commercial use. The irregularly used "beer garden" of the adjacent Cactus Jack restaurant is located to the immediate north of the site.

There is an existing access onto north street which is a one-way street leading to Fisherton Street.

The site lies within the Conservation Area.

THE PROPOSAL

It is proposed to demolish No.20, and the other two outbuildings within the yard area. In place of No.20, it is proposed to erect two 1 bedroom flats and one 2 bedroom dwelling, joined via an archway. Within the cleared yard area, it is proposed to erect six 3 bedroom dwellings, with their main aspects facing north –south. 6 car parking spaces would be provided along the southern boundary of the site.

PLANNING HISTORY

None of particular relevance on the site, but S/01/0119 relates to the development of a three storey block including residential flats at 75/77 Fisherton Street, to the north of the site.

CONSULTATIONS

WCC Highways - No objections to parking due to city centre location. However, not enough cycle provision. The layout of the shared surface courtyard does not fully meet adoption standards but is considered acceptable as a private courtyard. The existing residents parking scheme is able to accept further requests for residents parking from future occupiers (This on the basis that 3 properties will front onto North Street and would be eligible and parking spaces within the scheme will be taken into account in approving any further requests. Visitors can be

accommodated using the existing voucher scheme, although space may not always be available in the immediate vicinity of the site.

WCC Library/ Museum - Require an archaeological evaluation before planning decision is made.

Housing & Health Officer - It is more than 5 years since we had complaints of noise (from Cactus Jacks) and they were from people living on Water Lane. The noise from the live music was primarily at the front of Cactus Jacks as it had large single glazed windows. I don't think the possible future use of the beer garden is a reason to refuse the application. The likelihood of nuisance could be reduced by repositioning the proposed houses further from the boundary of the nearby commercial uses and possibly by building them parallel to the northern boundary which may have a minor benefit. Contamination condition.

Wessex Water Authority- Awaited

Environment Agency - Awaited

Design Forum In the Forum's view, the layout and design of the submitted scheme is very substandard. The three storey building on North Street proposed for demolition is an elegant building and should be renovated and retained, and the existing site access should be reused in the new development. The development should not be set back to create sight lines. The pattern of development in this part of the city is for buildings fronting directly onto the back edge of footway. The proposed hipped roof design on the new building facing North Street is out of character. The design of the nearby 19th century terraces should provide the design cue for the new terrace on the rear part of the site. Dormer windows should have a pitched roof and real chimneys should be included. The proposed size and orientation of the rear gardens is inadequate for family housing. The Forum questions whether 3 bedroom properties are appropriate for this central city site.

REPRESENTATIONS

Advertisement Yes. Expiry 18/11/04

Site Notice displayed Yes. Expiry 18/11/04

Departure No

Neighbour notification Yes. Expiry 10/11/04

Third Party responses 6 letters received raising the following points:

Significant increase in cars

Loss of on street parking

Lack of parking spaces on site

Adverse impact on adjacent properties

Dominance loss of view/reduction in light levels

One letter raising parking issues, but pleased with the sensitive way the application has been planned

MAIN ISSUES

Principle and policy

Impact on Conservation Area

Impact on amenities

Impact on highway safety

Contamination issues

Open space provision

POLICY CONTEXT

PPG3 PPG15

G1 G2 D1 E16 CN8 CN11

PLANNING CONSIDERATIONS

1. Principle and policy

The applicant has indicated that the site was previously used for car repairs and storage as part of a family run business. The business apparently had no employees. With the retirement of the longstanding owner four years ago, that established function has ceased to operate on the site. Since then, the agent claims the site has only been used for parking cars.

There appears to be no planning history to verify the use of the land, but observations of the site particularly within the last year or so (following approached to the LPA from prospective purchasers etc) has indicated that the applicants claims of the previous use are reasonably accurate.

On this basis, it is considered that the redevelopment of this site for non employment purposes would not conflict with the aims of policy E16 as the site is neither allocated for employment or has been used as a significant employment use. However, notwithstanding the apparent low level of use on the site, it is further considered the removal of a car repair business from this location may be advantageous given the very close proximity of the site to adjacent residential properties, and its location within a Conservation Area. Thus, it is considered that the redevelopment of this site could provide both conservation and environmental benefits.

Notwithstanding the above policy issues, the development of this site appears to be in accordance with the guidance given in PPG3 relating to the reuse of urban land for housing.

2. Design & Impact on Conservation Area

The buildings within the yard area are considered to be of no particular historic or architectural merit, and therefore their removal would preserve the character of the Conservation Area.

No.20 North Street is a three storey Victorian house, which due to its rather poor state of repair and completely blank rear elevation, is not considered to be of any special architectural merit. It is however a prominent feature of North Street given its height, and in the absence of any historical evaluation regards the history of the building the building could be of some limited historic merit in built form terms to the Conservation Area. Whilst the building appears to be in a rather dilapidated state, no structural survey has been submitted indicating that it could not be successfully converted/renovated for residential use. Therefore, it would in historical terms be a shame to sanction the removal of this building without some justification of why it cannot be retained and/or a scheme of sufficient quality to replace it.

Overall, it is considered that the scheme submitted has attempted to reflect the architectural vernacular of the area, with the dwellings of a simply "Victorianesque" style not dissimilar to the existing dwellings in the surrounding area. However, the window proportions do not reflect those of adjacent Victorian buildings, and the scheme adjacent to North Street is considered to be of a rather awkward contrived design due to the necessity to place 2 flats and one dwelling at the front of the site. The block of two flats would also present a large south facing blank brick wall towards North Street which would not necessarily improve the character of the area.

Furthermore, the buildings have been set back from the existing building line apparently for highway reasons. Such a set back is somewhat discordant with the general built form of the area, where back edge of pavement development is the prevailing built form.

The first floor and roofscape would be partially visible from Fisherton Street from the gap between Nos 81 and 73. However, given that the proposal would be some distance from the street scene itself, it is considered that the impact on the character of the area would not be significant.

3. Impact on amenities

The site as currently exists is apparently little used, and has no significant impact on adjacent amenities. Indeed, the derelict and empty nature of the site provides more privacy for adjacent dwellings and back gardens than could otherwise be expected in such a tight knit urban location. It is likely that any form of residential development of this site would have some impact on amenities of adjacent dwellings. Members should therefore assess whether the impacts which are caused by this scheme are significant enough to warrant refusal in such a tightly knit residential area.

The proposed scheme envisages a terrace of 6 dwellings running east /west across the site, which will have their main aspects facing north and south. As a result, the front facing southern facades of the terrace would face directly towards the rear garden areas and rear facades of the dwellings in East Street. This southern façade would be positioned approximately 11 metres away from the rear boundary of the properties in east street, and approximately 26 –30 metres in total from the rear facades of east street.

Due to a low boundary wall along the southern edge of the site, the above relationship means that the future occupiers of the proposed development will be able to look directly into the rear gardens to the south.

This relationship would, it is considered, significantly alter the existing amenities experienced by residents of East Street, by reducing the privacy within the rear garden areas. The distance between facades of the existing and proposed dwellings is considered to be adequate (and actually in excess of the old Parker standards of a minimum of 21 metres between facades at the rear of dwellings).

It is considered that the impact of this scheme could be successfully reduced to acceptable levels by the erection of a boundary fence/wall of a suitable height along the southern boundary of the site, which will mask completely the car parking area from adjacent gardens, and would mask the lower section of the proposed houses. With regards to the additional overlooking caused by the first floor of the dwellings, it is considered that the omission of one of the two first floor windows on the south elevation of each house would almost halve the impact of this scheme without actually affecting the amenities of future occupiers of the proposed dwellings. (Interestingly, this design change would also bring the visual appearance of the dwellings into line with other terraced dwellings in the area, many of which only have one first floor window facing the street scene).

With regards to Water Lane, whilst the proposed terrace of houses would be visible from these dwellings and rear gardens, any overlooking would be oblique, and subject to suitable boundary treatment along the eastern boundary of the site, it is considered that the reduction in privacy to these rear gardens would be minimised by the orientation of the dwellings and the distance of the terrace from the eastern boundary of the site.

To the north, the site bounds the beer garden and rear access lane serving Cactus Jack Restaurant, and is therefore also very close to the rear façade and windows of the four storey commercial block facing Fisherton Street, housing Nos 26, 27, 71, and 73. This building contains Cactus Jacks Restaurant, an amusement arcade, and a furniture warehouse, which occupiers many of the floors of the building (and whose windows face towards the application site).

The site is also abutted by what appears to be the large two storey rear extension relating to no. 25 Water Lane. The section of this building closest to the site apparently contains store rooms relating to Cactus Jacks on the ground floor and an office at first floor, which the owner has indicated verbally is sometimes used for residential letting.

Also to the immediate north of the site behind no. 81 Fisherton Street appears to be a small single storey commercial building and yard (although the Ordnance survey plans seem to indicate that this property is a dwelling No. 79, a cursory examination on site does not appear to substantiate this).

The terrace of dwellings would be located within approximately 3 metres of this northern boundary and the above uses.

In terms of overshadowing, it is obvious that at certain times of the year, the new dwellings would cause some overshadowing to the north across the beer garden and other buildings. However, given the nature of the uses affected and the nature of the built form in this area beyond the site to the north, overshadowing is not considered to be a significant issue, particularly as south facing windows in such uses are unlikely to be affected.

Similarly, whilst the close proximity to the boundary and the north facing windows of the dwellings will mean that the area to the immediate north of the site will be subject of significant

overlooking, the nature of the uses and building being overlooked means that the actual harm caused by this proposal in terms of reduction of amenities would not be significant.

The two more important factors with regards this relationship that Members need to focus on are firstly the very small rear yards attached to the proposed dwellings would be north facing. This in effect would mean that they would be likely to be in shadow for most of the year, and could not be utilised in the same way as normal residential gardens. Secondly, the dwellings would be within a few metres of the beer garden of the adjacent restaurant.

With regards the rear garden areas, it is considered in this instance that given that family sized dwellings are proposed and no other additional on site open space is planned, the rather cramped nature of the built form may have an adverse impact on the amenities of future residents, the nearest public open space to the site being Queen Elizabeth Gardens to the south, some 5 –10 minutes walk.

With regards the proximity to the beer garden, this facility appears to be in a rather dilapidated state and is clearly not currently in use. It is understood from the operator of an adjacent shop unit that this beer garden is seldom used, and then only occasionally during summer months. However, comments of the EHO are inconclusive on this matter, and refusal reason based on such impacts could be difficult to support.

With regards the 3 dwellings located adjacent the new vehicular access, the main impact these would have is the creation of a two storey high brick wall at the end of the public house plot and at the end of No.24 East Street. Whilst no windows are proposed in this elevation, and the overshadowing would be minimal due to orientation, this would result in rather a dominant feature at the end of a private garden which currently has an open aspect into the site. The effect of this wall would be worsened when combined with the already very tall boundary wall with the public house. The rear windows of this block of flats would also result in some adverse overlooking of the rear part of the rear gardens of numbers 18 to 22 East Street.

Indeed, if this building were to be repositioned further west, thus removing the visibility splays either side of the access, this would lessen the impact of this proposal in terms of its general dominance, but may result in additional overlooking from rear windows of the building into adjacent garden area of No.24.

When assessing the impacts on amenities, Members should also note that planning permission exists on 75-77 Fisherton Street for a three storey building, incorporating two storeys of residential flats over two shops at ground floor level. If this were to be implemented the rear façade of this building would have residential windows on the first and second floor facing south over the North Street application site. These windows would be approximately 15 metres away from the boundary with the North Street site. Given the close proximity of the proposed houses on the North Street site to the northern boundary (approximately 2 to 3 metres), this effectively means that the windows would be within approximately 18 metres of each other. Whilst such a relationship is not whole satisfactory, it may be difficult to support a refusal on the basis of the harm to amenity caused by this distance, particular as the Fisherton Street application has not been commenced and has been renewed since 1991.

4. Impact on highway safety

The development would obviously result in the loss of the existing yard, and consequently, the loss of an existing area which is apparently used by local residents for off street parking. As a result of this development, there would therefore be likely to be an increase in vehicles parked on the public highways around the site, which are already rather congested. However, the use of the site for such parking could be stopped at anytime as it out of the control of the Local Planning Authority. Therefore, a refusal on this basis is considered to be difficult given that this use could be ceased at any time, regardless of the development of the site.

The proposed development would provide for 6 parking spaces on the site, plus additional room for some bicycle parking. An area for the turning of vehicles is also included.

WCC Highways have indicated that it has no strong objections to the scheme considering that such a level of parking is appropriate for such a central city centre site. It has however also indicated that the level of on site bicycle facilities needs to be increased.

On the basis of the WCC comments, it is considered that a refusal on highway parking grounds would be difficult to support on appeal. It should also be noted that, if Members so wished, the turning area on site could be utilised for 2 to 3 extra cars or could be used to provide additional on site bicycle parking.

5. Contamination issues

The actual previous uses of this site are not clear. The comments of the EHO are awaited and will be reported to Committee.

6. Public open space

No open space is provided on site, but policy R2 does not require such on site provision below 10 dwellings. The applicant has supplied a signed S106 agreement indicating that a commuted sum will be paid if Members resolve to approve the application.

Therefore refusal on this ground would be difficult to support.

7. Archaeology

WCC Archaeology has indicated that the proposal lies within the likely extent of the suburb of Fisherton which developed along one of the major routes into the Medieval city of Salisbury. The suburb developed in the 13th century and included the Dominican Friary close to Fisherton Bridge. On this basis, WCC Archaeology has indicated that it had previously advised the applicant that an archaeological evaluation would be required prior to determination of the application.

Such an evaluation has not been done, and from past experience, an evaluation takes several weeks to organise and undertake. Time is then needed for the County to assess the report of the evaluation and to reply to the LPA. It would appear unlikely that such a scheme could be undertaken within the statutory period for the application.

Therefore, in the absence of such an archaeological evaluation, it is considered that the scheme would be likely to have an adverse impact on any archaeological remains, contrary to policy CN21 to CN23.

CONCLUSION

1. The site represents an opportunity to redevelop brownfield land near the heart of the city centre. Given the close proximity of the site to adjacent residential uses and the restricted nature of the highway system, it is considered that the reuse of this land for employment purposes may have adverse impacts on adjacent amenities and highway safety. In principle therefore, residential development may have less impact subject to details.

2. However, the overall design of the scheme is considered to be deficient in several areas, and at this point in time, it is considered that this scheme is not of such a high quality as to warrant the demolition of the existing three storey Victorian house, and would not preserve or enhance the character of the Conservation Area. However, the opinion of the Design Forum is awaited on this issue.

3. Furthermore, whilst some form of residential scheme could be placed on this site, it is considered that this scheme does not sufficiently protect the amenities of adjacent properties to warrant an approval on this occasion.

4. In the absence of an archaeological evaluation, it is considered that the scheme would be likely to have an adverse impact on any archaeological remains, contrary to policy CN21 to CN23.

RECOMMENDATION: SUBJECT TO THE COMMENTS OF THE THIRD PARTY REPRESENTATIVES RAISING NO MATERIAL OR SUBSTANTIVE COMMENTS NOT COVERED ABOVE:

REFUSE for the following reasons:

(1) The proposed housing scheme as currently designed in terms of its bulk, massing, and architectural details is not considered to be of sufficient quality to warrant the demolition of an existing three storey building on the street frontage which is considered of some historic value to the character of the area, and would not preserve or enhance the character of the Conservation Area. Furthermore, the scheme as currently designed would also have an adverse impact on the amenities enjoyed by adjacent existing residents and future residents of the development scheme. The proposal would therefore be contrary to policy D1, G2, CN8 and CN11 of the Salisbury District Local Plan.

(2) WCC Archaeology has indicated that the proposal lies within the likely extent of the suburb of Fisherton which developed along one of the major routes into the Medieval city of Salisbury. The suburb developed in the 13th century and included the Dominican Friary close to Fisherton Bridge. On this basis, WCC Archaeology has indicated that it had previously advised the applicant that an archaeological evaluation would be required prior to determination of the application.

Therefore, in the absence of such an archaeological evaluation, it is considered that the scheme would be likely to have an adverse impact on any archaeological remains, contrary to policy CN21 to CN23 of the Salisbury District Local Plan

NOTES:

Part 2

Applications recommended for Approval

Item No. Case Officer Contact No.

App.Number Date Received Expiry Date Applicant's Name
Ward/Parish Cons.Area Listed Agents Name

Proposal
Location

3	Case Officer Mr S Llewelyn	Contact No 01722 434659	3
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S/2004/1736	27/08/2004	22/10/2004	ST MARTINS CHURCH HALL c/o MR SCARFE
STMT			STRUTT & PARKER
Easting: 414841.6	Northings: 129512.8		

PROPOSAL:	O/L APPLICATION - OUTLINE APPLICATION FOR DEMOLITION OF EXISTING CHURCH HALL BUILDING AND CONSTRUCTION OF A BLOCK OF 10 APARTMENTS DETAILED APPROVAL SOUGHT FOR SITING AND MEANS OF ACCESS
LOCATION:	ST MARTINS CHURCH HALL 18 EYRES WAY SALISBURY SP1 2TF

REASON FOR REPORT TO MEMBERS

Councillor Tomes has requested that this item be determined by Committee due to the controversial nature of the application

SITE AND ITS SURROUNDINGS

This is the site of St Martin's Church Hall that is located on the eastern side of Eyres Way and backs onto the A36 (Churchill Way South). The existing building is finished in a buff coloured brick and is of an elongated form that extends back into the site and is two-storeys in height to the front and rear elevations and has a pitched roof form. The side elevations of the building are recessed at the first floor level about halfway along its length with flat roof, single storey sections at ground floor level. There is an existing vehicular access from Eyres Way that runs adjacent to the northern boundary of the site and leads to a parking area towards the rear of the site and to the side of the existing building. There is fairly dense and mature tree and landscape screening to the eastern boundary of the site to the A36, as well as tree screening to the western boundary with Nos20-30 Eyres Way and landscape screening to the southern boundary with Nos2-16 Eyres Way. The trees on the site are covered by a Tree Preservation Order.

To the southern side of the site is a two-storey block of almshouses with parking provision to the front, while to the north of the site is a three-storey block of flats that have their principal elevation facing across a garden/amenity area towards the application site with a blank gable elevation fronting Eyres Way. On the opposite side of Eyres Way is a two-storey terrace of residential properties.

THE PROPOSAL

This application seeks outline planning permission to demolish the existing church hall and the erection of a block of 10 apartments with associated parking provision to be accessed from Eyres Way.

This proposal seeks detailed approval of the matters of siting and means of access. Although the detailed matters of design, external appearance and landscaping are reserved for later consideration, the applicant has submitted a site layout plan including parking layout, detailed floor plans and elevations and a street scene elevation to support the application and that gives a clear indication of the form, scale and massing of development that the applicant may aspire to achieve on this site.

PLANNING HISTORY

S/2004/0056 An earlier application seeking outline planning permission to demolish the existing church hall and to erect 12 x 2-bed and 2 x 1-bed apartments (14 in total) with associated parking provision (detailed approval sought for siting and means of access) was withdrawn in May 2004.

CONSULTATIONS

WCC Highways: No objection.

Highways Agency: No objection.

Salisbury Transport 2000: The proposed development provides an ideal opportunity to introduce Salisbury to the idea of car-free developments and the benefits that they provide, such as reducing congestion and pollution, promoting alternative modes of transport, increasing space available for additional homes on brownfield sites and replacing tarmac with green space assisting surface water retention.

WCC Library/ Museum: No objection subject to the imposition of a condition.

Wessex Water Authority: The site is located within a sewerage area for both foul and surface water disposal and the developer will need to agree a point of connection.

It is also understood that there is a 375mm public surface water sewer crossing the site and a minimum 3.0 metre easement to this apparatus may be required to protect the integrity of Wessex systems. Diversion or protection works may need to be agreed.

Environment Agency: No objection subject to conditions requiring details of the proposed finished floor levels and a scheme for the provision and implementation of surface water run-off limitation.

Environmental Health: No objection.

Conservation: The proposed development will not affect the character of the Conservation Area.

Park Services: No objection.

Arboricultural Officer: No objection.

REPRESENTATIONS

Advertisement	Yes - expired 30/09/04
Site Notice displayed	Yes - expired 07/10/04
Departure	No
Neighbour notification	Yes - expired 22/09/04
Third Party responses	Yes

Two letters of representation have been submitted in response to this application that have raised the following concerns/objections to the proposed development:
The development of this site with 10 flats represents an overdevelopment of the site;
The proposed level of parking provision is inadequate to serve this development and will exacerbate an existing parking problem in the immediate vicinity;
The existing church hall is one of the few venues that exist on the Friary Estate where community activities can take place. It is recognised that parts of the Friary have some serious problems relating to “social disadvantage, crime and anti-social behaviour” and in such a context a sense of community spirit and local responsibility should be fostered and developed. The proposed development to demolish one of the few venues which provides the local communal space where activities can take place to foster a sense of community spirit would be contrary to this objective; and
The residential properties on the opposite side of the road will lose light due to the height of the proposed buildings.

POLICY CONTEXT

The following policies of the Adopted Replacement Salisbury District Local Plan (June 2003) are relevant to the current proposal:-

G1, G2, G4, D2, D6, H8, CN17, CN21, CN23, TR11 and R2.

MAIN ISSUES

1. Principle of Development
2. Visual Impact
3. Residential Amenities
4. Noise/Pollution
5. Highway Issues
6. Impact on Trees
7. Archaeological Issues
8. Flood Risk
9. Provision of Recreational Facilities

PLANNING CONSIDERATIONS

1. Principle of Development

The site lies within the Salisbury Housing Policy Boundary and the principle of infill residential development is therefore considered acceptable, subject to the proposed development complying with the other relevant policies of the Local Plan.

The proposed development, however, would result in the loss of the existing church hall facility and an objection has been raised to the proposal on the grounds that it would result in the loss of one of the few venues that exist within the Friary Estate where community activities can take place to help foster a sense of community spirit. Policy PS3 of the Adopted Replacement Salisbury District Local Plan (June 2003) that considers development proposals affecting community facilities, however, is not directly applicable to this proposal given the location of the site within the Salisbury Central Area. Nevertheless, it is still considered appropriate to give some deliberation to this matter.

In support of the proposed development, the applicant has stated that the existing church hall is only used for approximately 19 hours per week and that one of the principal users of the building is Salisbury College. However, it has also been confirmed in writing that it is intended for the use of the existing church hall to be transferred to part of the former St Martin's Infant School that is now closed and currently vacant. The Local Planning Authority has also been approached in respect of this matter. The proposed replacement facility would therefore be within reasonable walking distance of the existing church hall and the Friary Estate and immediately adjacent to St Martin's Church, while it would also be in close proximity and easily accessible to the Salisbury College, the principal user of the existing facility. Consequently, while it is acknowledged that the facility will be relocated away from the Friary Estate that is a

little unfortunate it is considered that the existing user groups will not actually lose a facility altogether. Furthermore, the applicant also contends that there is a community hall within the Friary Estate, while its residents can also benefit from the numerous other church halls and community facilities that exist within Salisbury that are reasonably accessible given the proximity of the Friary Estate to the central core of the City. In light of the above, it is not considered that the loss of the existing church hall provides justification for an 'in principle' objection to the proposed development.

The acceptability of the proposed development, therefore, rests with the detailed considerations as set out below.

2. Visual Impact

This section of the street scene of Eyres Way is of a mixed character consisting of properties of varying forms, styles and designs, although it is predominantly characterised by properties in residential use. In this respect, the eastern side of Eyres Way is characterised by the residential developments of the group of two-storey almshouses (Nos2-16 Eyres Way) and the three-storey block of flats (Nos20-30) to either side of the application site, as well as the application premises themselves, that are all set in relatively large and well landscaped/treed plots that provides a spacious and sylvan character to this side of the street scene. The opposite side of Eyres Way, however, consists of a more dense form of development in the style of two-storey terraced dwellings of a more traditional appearance and domestic scale that provides a more urban character to the street scene.

Although it is acknowledged that the proposal seeks outline planning permission with all matters reserved other than siting and means of access, the application has been supported with indicative elevations and floor plans of the proposed building, as well as a site layout plan, to help inform the judgement of the potential impacts of the proposal, but which also provide an indication of the scale, design and layout of the proposed development that the applicant/developer may aspire to achieve on this site. It is therefore considered appropriate that some weight is afforded to these submitted details in assessing the siting of the proposed building.

It is evident from the submitted plans that the footprint of the proposed block of flats would be largely similar to that of the existing church hall building and would also occupy substantially the same siting, although it would be of a different form and would project slightly further forward within the site towards the frontage boundary to Eyres Way. In this respect, the main body of the proposed block of flats would encroach approximately 2 metres beyond the forward building line of the existing church hall building, while it would project about 4.5 metres further forward at its furthest extent to the tip of the V-shape to the front elevation. Nevertheless, despite the forward encroachment of the siting of the proposed flats in relation to that of the existing church hall, it is considered that it would respect the forward siting of the developments to either side and on the basis of the scale and massing of the proposed building as indicated on the illustrative elevations would not appear unduly prominent to the street scene by virtue of its forward siting. In fact, at its furthest extent the proposed building would still be set back in relation to the forward building line of the adjacent block of flats at Nos20-30 Eyres Way. Furthermore, the proposed parking would occupy the existing hard surfaced parking area and the siting of the proposed block of flats that form the subject of this application would be such that the existing important landscape and trees features on the site could be retained and as such it is considered that the proposal would respect and preserve the spacious and sylvan character that currently exists to this side of the street scene.

With regards to scale and design, while it is acknowledged that this matter is reserved for later detailed consideration, the proposed footprint of the building is quite specific with a V-shaped projection to both the front and rear elevations and more numerous V-shaped projections to the southern (side) elevation that would have a strong influence on the final design of the building, if adhered to. With this in mind, it is considered that the detailed design of the building is likely to be of a more modern and contemporary, rather than traditional, style and appearance as indicated by the illustrative plans. Nevertheless, given the variety of property styles that are evident in this street scene it is not considered that a building of a more contemporary design would appear unduly harmful and could in fact enhance the visual character of the area.

In terms of design, it is also considered that the illustrative building elevations and street scene elevation that have been submitted in support of the application demonstrate that a development of 10 flats can be reasonably accommodated within this site in a built form of an acceptable overall scale and massing that would sit relatively comfortably in this street scene. In this respect, although it is almost inevitable that the overall scale of the building would be greater than that of the existing church hall in order to accommodate the number of units proposed, the illustrative plans indicate that the proposed building could still be designed with a lower ridge height than that of the adjacent block of flats to the north of the site (Nos20-30). Furthermore, in accordance with Policy D6 of the Adopted Replacement Salisbury District Local Plan (June 2003), the illustrative plans also indicate that the proposed development could be designed in such a manner that its overall ridge height would not exceed 12.2 metres (40 feet) so that the views of the Cathedral spire rising above the roofscape of the city would not be adversely affected.

On balance, therefore, it is considered that the submitted plans demonstrate that a development of 10 flats and associated parking provision could be satisfactorily accommodated within this site in a built form that would respect the overall scale and massing of the surrounding properties and suitably integrate into this street scene. Furthermore, it is also considered that the proposed development would conform to the Government guidance contained in PPG3 that advocates that Local Planning Authorities should promote the more efficient use of urban land.

3. Residential Amenities

With regards to residential amenity, it is again considered appropriate to give some weight to the illustrative plans in assessing the potential impact of the proposed development upon the amenities of the occupants of the neighbouring properties. In considering the siting of the proposed block of flats in relation to the neighbouring properties to either side, it is considered that it would be sufficiently distanced so that it would not cause any material loss of light and on the basis of the submitted illustrative elevations would not have an overbearing presence, although the resultant relationship in respect of this latter matter would be dependent upon the scale and massing of the detailed design of the building.

With regards to the issue of overlooking, it is also considered that the indicative floor plans in conjunction with the proposed siting of the building demonstrate that the proposed block of flats could be accommodated within this site without giving rise to a material loss of privacy to the neighbouring residents. In this respect, the proposed siting of the building would allow a gap of approximately 21 metres to be retained between the northern (side) elevation of the proposed building and the principal front elevation of the adjacent block of flats at Nos20-30 Eyres Way that faces towards the site, while a smaller gap of about 10 metres at its closest point is retained to the residential dwellings at Nos2-16 Eyres Way to the south of the site. With this in mind, the illustrative floor plans indicate that the proposed flats can be laid out in such a manner that the principal windows serving the main habitable rooms (kitchens and living rooms) are located to the front and rear elevations and the side elevation facing towards Nos20-30 Eyres Way where the separation distances involved are sufficient so that no material loss of privacy would occur to the neighbouring properties. The windows serving the more secondary accommodation (bedrooms and bathrooms), on the other hand, are located on the southern elevation where the relationship to the neighbouring properties is more sensitive due to their closer proximity. Following negotiations with the applicant, the footprint of the building has also been purposely designed with a series of V-shaped projections along the southern elevation so that the views from the front portion of any windows in these positions are angled to overlook the parking area to the front of Nos2-16 Eyres Way, while the rear section of these projections are either obscure glazed or provide a blank façade in order to avoid any potential for harmful overlooking of the adjacent dwellings.

Given the above circumstances, while it is acknowledged that the detailed design and scale of the proposed flats could potentially vary from the illustrative details that have been submitted in support of this application at the reserved matters stage, it is considered that the submitted details demonstrate that a block of 10 flats can be accommodated within this site without causing any material harm to the amenities of the neighbouring properties. Nevertheless, the issue of residential amenity will be considered in further detail in relation to the detailed proposals at the reserved matters stage.

4. Noise/Pollution

The site lies immediately adjacent to the A36 (Churchill Way South) where levels of road traffic noise are relatively high and there is consequently the potential for traffic noise to adversely affect the amenities of the future occupants of the proposed flats. However, the site contains a dense landscape and tree screen along the rear (eastern) boundary to the A36 that serves a very important role in providing a visual and acoustic barrier to provide some protection against the impacts of traffic noise. In considering this proposal, following negotiations with the applicant the siting of the proposed building has importantly been revised so that it is located outside of the protection zones of these important screening trees so that they would not be implicated by the proposal and therefore would continue to provide some protection against traffic noise from the A36. Furthermore, the implementation of other sound attenuation measures, which may include the use acoustic glazing and additional sound insulation to the flats, would help to protect the proposed development from any adverse traffic noise. This can be secured by condition. Subject to the imposition of such a condition, Environmental Health raises no objection to the proposal.

Given the proximity of the application site to the A36 (Churchill Way South), the proposed development would also introduce new residential accommodation into an area of potentially poor air quality. However, following consultation with Environmental Health it has been advised that the latest survey undertaken in 2001 indicates that the site lies on the edge of the acceptable national limits of air quality, but that since this time trends are generally downwards. Consequently, no objection is raised to the proposal in respect of this issue.

5. Highway Issues

With regards to highway issues, and in particular parking provision, objections have been received to the proposal on the grounds that the level of parking provision is inadequate to serve this development and will exacerbate an existing parking problem in the immediate vicinity. The latest Government guidance contained in PPG3 and PPG13, however, seeks to reduce the reliance on the car and advocates the provision of a maximum of 1.5 off-street parking spaces per dwelling on average throughout a development. In this instance, the proposal includes the provision of a total of 10 parking spaces for the 10 flats proposed which equates to a ratio of 1.0 parking space per unit. Given the location of the application site within the Salisbury Central Area and its close proximity to the facilities and services of the City Centre and the public transport facilities (bus routes and railway station) that are available it is considered that this is an acceptable level of parking provision to serve the development.

In considering other highway issues, a key consideration relates to the proposed means of access as detailed approval of this matter is sought by this proposal. In respect of this issue, the proposal originally included the retention of the existing single width access to serve the development with the provision of a vehicular passing bay set about 7 metres back into the site. The proposed passing bay, however, was of substandard dimensions such that it would not actually enable two vehicles to pass each other. Consequently, following negotiations with the applicant's agent, the submitted plans have been amended by increasing the width of the vehicular access to Eyres Way to 4.5 metres wide for the first 5 metres back into the site from the back edge of the footpath to provide a safer access arrangement and passing bay. Given the above, it is considered that an acceptable means of access and level of parking provision can be provided and therefore no objection is raised to the proposed development by WCC Highways.

6. Impact on Trees

As mentioned above, the site contains a dense landscape and tree screen along the rear (eastern) boundary to the adjacent A36 (Churchill Way South) that serves a very important role in providing a visual and acoustic barrier to provide some protection against the impacts of traffic noise, as well as further boundary trees to the western boundary with Nos20-30 Eyres Way and the southern boundary to Nos2-16 Eyres Way. In support of the application, an arboricultural impact appraisal has been submitted that identifies the constraints that the trees within the site impose on the use of the site and its potential redevelopment. In relation to the proposed development, as it was originally submitted, the arboricultural impact appraisal recommended that the branches of the Birch tree (T8) to the rear of the existing building should be pruned back

by up to 1.5 metres from the proposed building to accommodate scaffolding during the construction phase and that this would subsequently need to be carried out on a regular basis after construction. However, in assessing the proposal, it was considered that the need to carry out these pruning works indicated that the proposed tree-building relationship was not entirely acceptable while the continual need for future pruning would place an unacceptable management burden upon the future occupants of the proposed flats. Following negotiations with the applicant, the siting of the proposed building has therefore been relocated further to the west to negate the need for the pruning works to facilitate the construction of the development whilst simultaneously increasing the separation of the building and the tree canopy thereby increasing light levels to the accommodation on the rear elevation of the building and providing a better long term future tree-building relationship on the easterly aspect. In relation to all of the other trees within the site, the revised siting of the proposed building would be located outside of their protection zones and therefore would have no direct impact upon them thereby providing an acceptable tree-building relationship. The submitted arboricultural impact appraisal, however, also recommends the felling of a Lawson Cypress (T12) that forms part of the screening along the boundary with the A36 and the crown lifting of all of the trees that are to be retained on the site to a height of 4 metres above ground level that is considered to be unacceptable as it would reduce both the visual and acoustic screening value of the trees along the eastern boundary of the site. Nevertheless, this would form part of the landscaping proposals for the site that have been reserved for later consideration and therefore do not constitute grounds for refusal of the current proposal. Consequently, there is no arboricultural objection to the proposed development.

7. Archaeological Issues

The application site is located within the Area of Special Archaeological Interest and the Council's Archaeological Officer has advised that the site lies close to the ring road that is known to overlie the bank and ditch that formed the city defences further north. The exact location or extent of these defences, however, is not known at this location and it is possible that the construction of the proposed building may reveal information relating to them or the Franciscan Friary that is thought to lie to the west. In light of the fact that it is proposed to construct the new building in a similar location to the present building, it is therefore recommended that an archaeological watching brief be undertaken during the initial stages of construction. This can be secured by condition.

8. Flood Risk

The site lies partly within the 1 in 100 year indicative flood plain of the River Avon and the Environment Agency has advised that the finished floor levels of the proposed building should be set a minimum of 0.6 metres above the 1 in 100 year indicative flood level to mitigate against the risk of flooding, albeit that the proposed footprint of the building would only marginally encroach within the flood plain. Following discussions with the applicant's agent, the proposed finished floor levels of the building have been amended, albeit only by approximately 0.3 metres, so that they would be set at a height of 10.4 metres above local datum and the illustrative elevations and street scene elevation amended accordingly to reflect with this requirement although the details of the design of the building have been reserved for later consideration. As such, there is no objection to the proposed development and the details of the finished floor levels can be secured by condition.

9. Provision of Recreational Facilities

In accordance with Policy R2 of the Adopted Replacement Salisbury District Local Plan the provision of recreation facilities must be considered for all proposals for new residential development. This proposal would involve the creation of 10 residential units, although the residential accommodation in the existing building would be lost, and therefore a contribution for recreational facilities would be required pursuant to the above policy. This can be secured via a condition of the approval of outline planning permission.

CONCLUSION

The principle of the redevelopment of this site for residential purposes is acceptable in policy terms and it is considered that the submitted plans, albeit for illustrative purposes in terms of

design, demonstrate that the redevelopment of this site with a block of 10 flats on the siting that is proposed could be achieved in a built form that would be of an acceptable overall scale and massing and that would sit relatively comfortably in this street scene. Furthermore, the proposed siting of the building would ensure that the existing important trees and landscape features on the site will be retained, which in turn will serve to respect and preserve the spacious and sylvan character that currently exists to this side of the street scene, whilst making an efficient use of previously developed land in accordance with PPG3. The submitted details also indicate that the proposed development can be designed in such a manner that it would not materially harm the amenities of the neighbouring residents in relation to the proposed siting of the building.

In respect of other issues, it is considered that an acceptable means of access to serve the proposed development has been demonstrated and that there is an adequate level of on-site parking provision given the location of the site in close proximity to the city centre and the services/facilities that it provides. Although the site is located immediately adjacent to the A36 (Churchill Way South), the existing tree/landscape screen that provides both a visual and acoustic barrier would be retained while further protection against traffic noise can be secured by a condition requiring sound attenuation measures to the building, such as acoustic glazing and additional sound insulation. The site is also located within an Area of Special Archaeological Interest and lies partly within the 1 in 100 year indicative flood level, but it is not considered that either of these constraints would justify refusal of this application as the development can be controlled by conditions requiring that an archaeological watching brief be undertaken during the initial stages of construction and the submission of details of the finished floor levels to ensure that the development would be adequately protected against potential flooding. Finally, the requirement for a contribution towards the provision of off-site recreational facilities can also be secured via a condition.

In light of the above, it is concluded that the submitted details adequately demonstrate that the application site can reasonably accommodate the proposed block of 10 flats and a suitable level of associated parking provision in accordance with the policies of the Adopted Replacement Salisbury District Local Plan (June 2003) but also in compliance with the Government's objectives as set out in PPG3 and PPG13 to make the more efficient use of urban land and to promote sustainable patterns of development.

RECOMMENDATION:

APPROVE

REASONS FOR APPROVAL

It is considered that the submitted plans, albeit for illustrative purposes in respect of design, demonstrate that the redevelopment of this site for the purposes proposed and in relation to proposed siting for which approval is now sought could be achieved in an acceptable built form that would integrate into the existing street scene of Eyres Way and without adversely affecting the amenities of the neighbouring properties. It is also considered that the proposal includes an adequate means of access to serve the development and provides an acceptable level of on-site turning and parking provision. In respect of all other issues, such as the impact of traffic noise, flooding and the provision of recreational facilities, it is considered that the proposed development can be suitably controlled by condition. As such, it is considered that the proposed development complies with Policies G1, G2, G4, D2, D6, H8, CN17, CN21, CN23, TR11 and R2 of the Adopted Replacement Salisbury District Local Plan (June 2003).

And subject to the following conditions:

1. No development shall take place until approval of the details of the design, external appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") have been obtained in writing from the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason - This condition is required to be imposed by the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission and the development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason - This condition is required to be imposed by the provisions of Article 4 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990.

3. Upon approval of the landscaping details (including provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels) pursuant to Condition 1:
the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the flats or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and the whole scheme shall be subsequently retained.

Reason - In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants.

4. Prior to the commencement of development, details/a plan indicating the positions, design, materials and type of boundary treatment to be erected have been submitted to, and approved in writing by, the Local Planning Authority. The erection of the approved boundary treatment shall be completed before the flats are first occupied. Development shall be carried out in accordance with the approved details, maintained for a period of five years and thereafter retained.

Reason - In the interests of visual amenity and privacy for the occupants of the neighbouring properties.

5. In conjunction with the submission of landscaping details pursuant to Condition No1, an arboricultural method statement providing comprehensive details of construction works in relation to trees being retained on, or adjacent to, the site shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:-

a specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:1991 and details of the timing for the erection of protective fencing and a plan indicating the alignment of the protective fencing;

a specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:1991;

a schedule of tree works conforming to BS3998;

details of general arboricultural matters such as the area for storage of materials, site huts, concrete mixing and use of fires;

plans and particulars showing the siting of the service and piping infrastructure;

details of the works requiring arboricultural supervision to be carried out, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and

details of all other activities which have implications for trees on or adjacent to the site.

Reason - In order that the Local Planning Authority may be satisfied that the protected trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

6. The development hereby approved shall not be occupied until the access, turning space and parking as indicated on the approved plan have been constructed and laid out, and these shall thereafter be retained and kept available for those purposes at all times.

Reason - In the interests of highway safety.

7. Prior to the first occupation of the development hereby approved the vehicular access and parking area as indicated on the approved plan shall be properly constructed, consolidated and surfaced (not loose stone or gravel), in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason - In the interests of highway safety.

8. Prior to the commencement of development, details for a scheme of sound attenuation for the protection of the flats, hereby approved, against noise from traffic shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme as approved shall be implemented and thereafter maintained and retained.

Reason - In the interests of amenity.

9. Prior to the commencement of development, a scheme for the provision and implementation of surface water run-off limitation shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in strict accordance with the approved details.

Reason - To prevent the increased risk of flooding.

10. Prior to the commencement of development, details of the proposed finished floor levels shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - To protect the development from flooding.

11. No development shall take place until such time that a scheme for the protection and/or diversion of a 375mm public surface water sewer crossing the site has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason - To protect the integrity of Wessex Water systems.

12. No development shall take place until a programme of archaeological work has been secured and implemented in accordance with a written scheme of investigation to be submitted to, and approved in writing by, the Local Planning Authority.

Reason - The area is known to be of archaeological importance and it is important that any archaeological finds should be properly recorded and preserved.

13. No development shall take place until details of provision for recreational open space in accordance with Policy R2 of the Adopted Replacement Salisbury District Local Plan (June 2003) have been submitted to, and approved in writing by, the Local Planning Authority.

Reason - In order to comply with the requirements of Policy R2 of the Adopted Replacement Salisbury District Local Plan (June 2003).

And in accordance with the following policies of the Adopted Replacement Salisbury District Local Plan (June 2003):

Policy Purpose

G1	General Principles of Sustainable Development
G2	General Criteria for Development
G4	Flood Risk
D2	Infill Development
D6	Salisbury Central Area
H8	Salisbury Housing Policy Boundary
CN17	Protected Trees
CN21	Archaeology
CN23	Archaeology
TR11	Provision of Off-Street Parking
R2	Provision of Recreational Facilities

Informative Notes:

1. In compliance with Condition No7 above, the applicant is advised to contact the Environment Agency, Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, Dorset, DT11 8ST. Tel: 01258 483382 / Fax: 01258 455998.
2. In conjunction with Condition No10 above, the applicant is advised that it is recommended that the finished floor levels should be set a minimum of 600mm above the 1 in 100 year indicative flood level. For further advice in respect of this matter, the applicant is advised to contact the Environment Agency, Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, Dorset, DT11 8ST. Tel: 01258 483382 / Fax: 01258 455998.
3. In conjunction with Condition No11 above, the applicant's attention is drawn to the comments of Wessex Water, a copy of which is attached to this notice of decision. In this respect, Wessex Water records indicate that there is a 375mm public surface water sewer crossing the site. Wessex Water normally requires a minimum 3.0 metre easement width either side of its apparatus for the purposes of maintenance and repair. The applicant is therefore advised to contact Wessex Water (Tel:01225 526000) to ascertain whether diversion or protection works are required and if so, to agree any arrangements for the protection/diversion of this infrastructure.

NOTES:

S/2004/1953	10/09/2004	05/11/2004	MANOR ROAD DEVELOPMENT PARTNERSHIP
STED	SAL		FAVONIUS & CO
Easting: 415068.3	Northing: 130488.5		

PROPOSAL:	FULL APPLICATION - CONVERSION OF EXISTING HOUSE TO 3 FLATS CONSTRUCTION OF 2 FLATS AND 9 HOUSES FORMATION OF NEW VEHICULAR ACCESS ONTO FAIRVIEW ROAD NEW PEDESTRIAN ACCESS ONTO WAINALONG ROAD AND DEMOLITION OF OUTBUILDINGS AND PART OF EXISTING HOUSE
LOCATION:	44 MANOR ROAD SALISBURY SP1 1JS

REASON FOR REPORT TO COMMITTEE

Councillor Sample considers that this scheme should come back to Committee for discussion in light of the comments at the previous Committee meeting and the importance of the site to the City skyline.

SITE AND ITS SURROUNDINGS

The site is located in an elevated location within the conservation area. The surrounding area is residential in character, and the site lies within the HPB. The site contains a large detached dwelling, together with a single storey outbuilding, garage, and tennis court. There is a vehicular access onto Manor Road, and a number of mature and small trees around the edge and within the site.

THE PROPOSAL

It is proposed to retain the existing manor house and convert it to 3 flats. Adjacent to the main house would be a new 3 storey building with 2 more flats contained within.

A new 3 storey terrace is proposed for the main part of the site running north to south.

A new access would be inserted off Manor Road, and existing access closed off. Internal on site parking areas would be provided, and following amended plans, the two existing pedestrian access points onto Wain along Road will be reused, and a further third new pedestrian access created.

It is also proposed to provide replacement tree planting throughout the scheme.

PLANNING HISTORY

Consent has been granted for a three storey dwelling on the eastern part of the site subject of 02/1511.

Application S/04/ 476 for 18 dwellings is currently subject of an appeal following refusal of permission by CAC.

CONSULTATIONS

WCC Highways - No objections subject to cycle parking and contributions to off site highway works.

Housing & Health Officer - A scheme for noise attenuation is needed. Condition acceptable.

Wessex Water Authority- No objections, but may be a public sewer across the site (no plan provided) Wessex Water systems should be protected during development.

English Heritage - No comments

REPRESENTATIONS

Advertisement	Yes. Expiry 21/10/04
Site Notice displayed	Yes. Expiry 21/10/04
Departure	No
Neighbour notification	Yes. Expiry 8/10/04
Third Party responses	Yes. Nine letters raising the following points:

Scheme is out of keeping, overbearing and too high
Too many house, too dense a scheme
Adverse impact on views from Wain along Road and St Marks Roadabout
Result in increase traffic on an existing rat run and to roundabout
Out of keeping with Conservation Area, which is mainly two storey
Need more replacement planting
Pedestrian accesses will encourage parking on Wain along Road
Site will look like a car park
Will residents have parking permits ?
Tree adjacent to No.37 needs to be reduced in size.
The scheme itself is attractive

MAIN ISSUES

Principle
Impact on Conservation Area
Impact on adjacent amenities
Impact on highway safety/parking
Affordable housing/open space issues

POLICY CONTEXT

PPG3 PPG15

G2 D1 CN8 CN11 R2

PLANNING CONSIDERATIONS

Principle

The site is located within the HPB, and within a tight knit urban housing area on the edge of the city centre. Planning permission has also recently been granted for a new three storey town house on the eastern part of the site.

PPG3 also encourages the more efficient use of urban land. Given that this is a large city on the edge of the city centre, it is considered that in principle, its redevelopment to provide more housing is in line with government guidance.

PPG15 indicates that any development should seek to preserve or enhance the character of a Conservation Area.

As a consequence, the principle of redeveloping the site for residential purposes is acceptable in principle, subject of course to the impacts of the scheme on the surrounding environs.

Impact on character of area

A - character of area

The character of the area is urban, and is typified by high density housing development. Immediately surrounding the site, the area consists of large multi storey Victorian/Edwardian villa buildings, similar to that which exists on the site at the present time. It is also important to

note that a 2001 planning permission exists to erect a modern interpretation of a villa building on part of the site, although this has never been commenced.

However, it should also be noted that this site is unusual, in that its character is predominantly one of a well treed/landscaped site, which forms a welcome “green” area within the tight knit urban environment. The site is visible from the area surrounding St Marks Roundabout.

b- The scheme

The scheme as currently proposed has been the subject of numerous discussions and amendments in liaison with the LPA.

The architect has indicated via a detailed design statement that the scheme picks up the various rhythms of the built form of the area, in terms of the terrace vernacular of Fairview Road, and the actual bulk and detailing of the scheme.

The Design Forum has indicated that they consider the scheme very imaginative, although they passed comment on the busy nature of one of the elevations. The Forum indicated that large scale details of the various features need to be submitted so as to achieve a scheme of high standard. The impact on the adjacent trees was a concern.

c- Impact of scheme

The main issue is whether the scheme preserves/enhances the character of the Conservation Area.

Firstly, the loss of some of the existing trees is regrettable, in particular the large Horse Chestnut situated in the middle of the site. However, this is not a prime specimen having been pollarded severely in recent years, and several of the other trees are poor specimens and one in particular (the sycamore currently located in the northern corner of the site has already dropped large branches into the adjacent highway. Furthermore, a large sycamore adjacent to Wain along Road is causing structural problems with the retain wall onto the highway. This tree already has defects and will suffer root damage when the wall is repair.

The Conservation Officer is also supportive of the scheme despite the impact on existing trees.

In many respects the loss of existing trees will be mitigated completely by the proposed replanting scheme, which envisages the replanting of large heavy standard trees, which would quickly replace the existing “Green” character of the site.

Whilst the Council Tree Officer is supported of the replacement planting schemes, having carried out a daylight/sunlight assessment he still has serious reservations regarding the long term viability of some existing trees adjacent to the proposed separate block of flats, as he feels that the significant daylight restriction which these trees will have on the amenities of future occupiers of the flats will eventually lead to significant pressure to remove these trees which include one large tree (sycamore) within the site, and two trees outside the site on highway land (which have not been shown on the submitted plans).

As a consequence, Members have to consider whether the possibility of future works being needed to these trees is enough to warrant refusal of an application. Officers advise caution in this regard, and point out that one of the trees affected is located on highway land and is a modest Lawson Cypress, which is a species which it is not normally considered to be worth saving.

Secondly, notwithstanding the tree issues, the impact of the proposed new buildings have to be assessed.

In the first instance, It is considered that whilst the existing main house is not yet listed, it is an integral part of the character of the Conservation Area. Its retention and conversion in a sympathetic manner is therefore welcome.

With regards to the new buildings, the erection of three storey terrace through the centre of the site and the new block of flats attached to the existing boundary wall has the general support of the Design Forum and the Council's Conservation Officer. Both parties see this solution as significantly better than the previous refused scheme.

Members should note that this scheme will be visible from the area surrounding St Marks Roundabout and the A36 Churchill Way, with particular regard to the proposed flats attached to the boundary walling, and the end of the terraced block.

However, given the general support of both the design forum and the conservation department, the scheme is considered to be a logical progression and modern interpretation of the character of the area. However, it is crucial that the materials chosen are of a high quality to reflect the surrounding area, and that the fine detail of the scheme is carried through also to a high standard, to provide a richness and depth to the scheme, which can be found on existing surrounding villas. Suitable conditions are attached below.

Impact on amenities

The site is located in an elevated location adjacent to and surrounded by other dwellings. Therefore the potential for harm is significant with a redevelopment of this scale.

The scheme as a whole would result in the urbanisation of the existing open site. The long terrace of dwellings would be readily visible and prominent from both Fairview Road, and also from Wain along Road, due to the elevated nature of the existing site. As the residents along Wain along Road currently enjoy an open aspect across the site (particularly during winter months), the erection of a long three storey terrace will obviously significantly alter this aspect, and create a more urban character to the aspect. The applicants plans and sectional drawings indicate that the distance between the rear facades of the proposed dwellings and existing dwellings on Wain along Road would vary between 25.5 metres (at the corner of the development adjacent to No.5 Wain along Road) and 28 metres (with 9 & 11 Wain along Road).

It is considered that given that the surrounding area is a built up urban area where close inter-relationships between properties can be expected, the terrace through the centre of the site would have little demonstrable harm on surrounding amenities, given the distance from surrounding buildings and the sense of enclosure and screening offered by the existing/replacement trees on the eastern boundary. Despite the scale of the proposed terrace, dwellings along Fairview Road would not be so affected in terms of significant overlooking or overshadowing as to warrant refusal.

The proposed flats located on the north western boundary wall would overlook the city and the A36, and again would not cause such significant impacts to any existing amenities as to warrant refusal.

Whilst the Council Tree Officer is supported of the replacement planting schemes, having carried out a daylight/sunlight assessment he still has serious reservations regarding the long term viability of some existing trees adjacent to the proposed separate block of flats, as he feels that the significant daylight restriction which these trees will have on the amenities of future occupiers of the flats will eventually lead to significant pressure to remove these trees which include one large tree (sycamore) within the site, and two trees outside the site on highway land (which have not been shown on the submitted plans).

As a consequence, Members have to consider whether the possibility of future works being needed to these trees is enough to warrant refusal of an application. Officers advise caution in this regard, and point out that one of the trees affected is located on highway land and is a modest Lawson Cypress, which is a species which it is not normally considered to be worth saving. Further, an application would be require to permit works to trees on the site, and therefore the LPA will retain control over work to the trees.

Impact on highway safety

Whilst the use of the new access and surrounding highway system would increase substantially given the number of new dwellings compared to the existing situation, it is considered that given

the urban location of the scheme, the parking provision to be provided on site is within acceptable parameters, and is of a level which would be unlikely not encourage further parking on the adjacent road system, which is heavily used at the moment, and contains mostly residents parking areas.

The provision of the new access in lieu of the existing is a significant improvement in safety terms, given the close proximity of the existing access to the corner of Manor and Fairview road.

WCC Highways have indicated that on road parking areas need to be moved as part of the development, and has also requested a sum of £5000 pounds towards off site highway works. Adequate bike parking facilities need also to be provided.

Public open space/Affordable Housing

Whilst the Local Plan indicates that on site open space should be provided over 10 dwellings, on this occasion, it is considered that the provision of such space on site could not be adequately provided without significantly reducing the number of dwelling capable of being put on the site, and thereby negating the need to provide such facilities. On balance, it is therefore considered more appropriate to accept a payment towards off site open space provision and improvements. The newly adopted SPG on affordable housing indicates that current thresholds apply in terms of policy H25. As the application site is below the 1 hectare threshold, and the number of dwellings below the 25 dwellings threshold, the provision of affordable housing is not an issue with regards this scheme.

A signed S106 relating to off site open space has already been submitted.

CONCLUSION

This scheme would significantly alter the character of the site from a largely landscaped low density site, to a more urban character.

However, given that new substantial replanting is proposed to offset the loss of existing trees, and given that support of the Conservation Officer and the Design Forum with regards the overall design approach, it is considered that subject to appropriate materials and detailing the scheme itself would be sympathetic to and in keeping with the character of the surrounding built-up area.

In terms of amenities and highways, the scheme would be unlikely to cause any significant harm given the built up and generally urban character of the area. Members do however need to be mindful of the comments of the Tree Officer and his concerns regards the impacts on amenity on future occupiers of the flats of adjacent trees and the long term viability of the trees.

RECOMMENDATION: Subject to the relevant commuted sum being provided towards the provision of off site open space as outlined in the submitted Unilateral S106 Agreement, then:

REASONS FOR APPROVAL:

The scheme would preserve the character of the Conservation Area, and any impacts on adjacent amenities would not be significant. Highway safety would be preserved. The proposal would therefore be in accordance with policies G2 and CN8 of the adopted Salisbury District Local Plan.

APPROVE subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (A07A)

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

(2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

REASON:0014 To secure a harmonious form of development.

(3) No work shall start on site until full large scale details of the architectural details of the buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D07A)

REASON:0014 To secure a harmonious form of development.

(4) Before development commences, an Arboricultural method statement shall be submitted to and agreed in writing by the Local Planning Authority. The method statement shall include details of tree protection during development, planting schedule, details of planting times and details of which properties will maintain which trees.

REASON: In the interest of the visual amenity of the Conservation Area

(5) No other development shall take place until the existing vehicular access has been permanently stopped up and the new vehicular access created, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order that construction traffic use the proposed new access in the interests of highway safety

(6) The dwellings hereby approved shall not be occupied until the proposed vehicular access and reinstated pavement has been constructed to Wiltshire County Council Highways standard, and the proposed internal access road and parking spaces have been completed and made available for use.

REASON:0052 In the interests of highway safety.

(7) The internal access road, parking areas and amenity areas shall be surfaced in accordance with details to be agreed in writing with the Local Planning Authority, before development commences. The development shall be carried out as approved.

REASON: In the interest of visual amenity and highway safety

(8) Before development commences, full details of the design of the covered bicycle parking facilities shall be submitted to and approved by the Local Planning Authority, and such facilities shall be made available for use on site as approved before the dwellings are first occupied.

REASON:0052 In order to comply with Local Plan sustainable development policies to discourage the use of the private car

(9) No development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority relating to the facilitation of off site highway works related to the development of the site.

REASON: 0052 In the interests of highway safety.

(10) The dwelling shall not be occupied until a scheme for the attenuation of noise from the adjacent highway system (A36) has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be carried out as agreed, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to protect future occupiers of the dwellings from noise disturbance from the adjacent highway system in the interests of amenity.

INFORMATIVE:

1.This permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

Policy G2 – Purpose: Protection of amenities

Policy D1 – Large scale development

Policy CN8 – Impact on Conservation Area

Policy CN11 – Views into and out of Conservation Area

Policy R2 – Public open space

2.With regards the conditions above, the LPA need large scale details of such items as doors, windows, dormer windows, eaves details

NOTES: